

**Chapter 15.36****NUISANCE OIL WELLS AND SITES**

(2491-7/81, 3037-5/90)

**Sections:**

- 15.36.010 Notice and Hearing
- 15.36.020 Work--Costs report--Hearing on Assessment
- 15.36.030 Notice of Lien Filed to Pay Assessment
- 15.36.040 Additional Remedies

**15.36.010 Notice and Hearing.** Whenever the Fire Chief determines that a public nuisance, as described in this code, exists on any property or in connection with any well, drill site or lease, he shall give notice to the property owner, the lessee of surface or mineral rights, the oil operator and the occupants of any such property to abate such nuisance.

The notice shall also state that in the event the nuisance is not abated as directed, the objectionable material or condition may be removed and the nuisance abated by the City, and the cost of removal assessed upon the lands and buildings from or in front of which the nuisance is removed and such cost shall constitute a lien upon such land until paid.

The notice shall also specify a date and time within thirty (30) days of the date of the notice when the City Council will hold a public hearing to afford those so notified an opportunity to be heard concerning the determination of the Fire Chief and the notice to remove or eliminate the nuisance conditions. The City Council may direct the Fire Department to proceed with the work necessary to remove the objectionable conditions or materials and to take such other action as is necessary to abate the nuisance. (2491-7/81)

**15.36.020 Work--Costs Report--Hearing on Assessment.** The work shall proceed under the direction of the Fire Chief and may be done by City forces or private contractor. The individual in charge of the work shall keep a record and account of the costs of abatement. Upon completion of the work, a report shall be filed with the City Clerk who shall set a hearing before the City Council. The parties to be assessed shall receive by first class, prepaid mail a notice of a public hearing on the assessment. (2491-7/81)

**15.36.030 Notice of Lien Filed to Pay Assessment.** If the cost of assessment is approved by the City Council after the hearing thereof, a notice of lien shall be filed in the office of the County Recorder for each parcel of land involved, and when recorded, shall be delivered by the Fire Chief to the County Controller and Assessor who is expressly authorized to enter the amount thereof in the County Assessment book opposite the description of said parcels, and thereafter such amount shall be collected at the time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedures under foreclosure and sale in case of delinquency, as provided for ordinary municipal taxes.

Notice to pay the assessment shall be sent to the parties liable to be assessed. (2491-7/81)

**15.36.040 Additional Remedies.** As to any lots or property declared to be a nuisance hereunder, the City Attorney of the City of Huntington Beach may proceed to abate the same by filing a civil action to abate a nuisance against the owners, or oil operators, or lessees or occupants thereon. (2491-7/81)